

Application No: 10/790,388
Amendment B
Reply to Office Action Dated September 20, 2006

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Attorney Docket No: 3926.069

REMARKS

Claims 7-10 and 12-16 are now pending in the application. Claims 1-6 and 11 have been previously cancelled.

Specification

The Examiner has stated the disclosure is objected to because of the following informalities: claims (see paragraph [0008]) cannot be used in the specification because they may change during prosecution and thus the specification fails to meet the enablement requirement.

The paragraphs [0008] of the specification has been deleted.

Claim Rejections - 35 U.S.C. § 102

Claims 7, 9-10 & 14-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Xie et al. (US 6,608,278).

In the previous response, Applicants have argued that in the present invention both process steps are carried out by the same laser beam with substantially the same output and focusing, however, the second process step is carried out with reduced speed of advance of the laser beam over the surface; whereas in Xie et al. disclose a no gap method for beam welding of coated materials using multiple energy beams.

{WP352314:1}

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In the response to arguments on page 5 of the final Office action, the Examiner has stated that Xie et al. does use the same laser and the laser is capable of altered speed. However, the Examiner did not provide any support as to how Xie et al. disclose using the same laser beam in both steps and carrying out the second step with the same laser beam at reduced speed.

Xie et al. might use one laser well but not one laser beam for both process steps. The Examiner has stated in the last paragraph on page 2 of the final office action that in Xie et al. "An energy source (laser beam) is split into multiple beams and is used to weld" Clearly, Xie et al. use different or multiple beams, one split laser beam to warm and another split beam to weld, but not the same beam for both processes.

Further, Xie et al. do not mention anywhere about reducing the speed of the welding.

Claim 7 is therefore believed to be patentable over the art. Claims 9-10 and 14-15 are believed to be patentable due to their dependency on independent claim 7.

Claim Rejections - 35 U.S.C. § 103

Claim 16 is rejected under 35 U.S.C. 102(a) as being unpatentable over Xie et al.

Claim 8 is rejected under 35 U.S.C. 102(a) as being unpatentable over Xie et al. and further in view of Coyle, Jr. et al. (US 5,268,556).

Claims 12-13 are rejected under 35 U.S.C. 102(a) as being unpatentable over Xie et al. and further in view of Mombo-Caristan (US 5,603,853).

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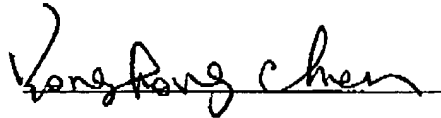
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Dependent claims 8, 12-13, and 16 are believed to be patentable due to their dependency on independent claim 7.

Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

Respectfully submitted,



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